

### **§1787. Penalty Provisions**

A. Civil penalties may be assessed by the division against any person, licensee or other legal entity in accordance with the following schedule.

1. Except as provided in LAC 55:1.1755.B, violations of statutes or administrative rules relative to reporting requirements including, but not limited to submission of quarterly reports shall be subject to a civil penalty not in excess of \$100 per violation.

2. Violations of statutes or rules relative to the conducting of games of chance, including but not limited to conducting unauthorized games, participation by unauthorized persons, unauthorized distribution or procurement of supplies or equipment, failure to maintain proper records of gaming sessions, failure to properly use and retain records relative to the model accounting system shall be subject to a civil penalty not to exceed \$500 per violation.

3. Violations of statutes or administrative rules relative to making false statements in documents submitted to the division and maintained by the organization including but not limited to the applications, monthly or quarterly financial reports, inventories, session records, and any supporting documentation shall be subject to a civil penalty not in excess of \$1,000 per violation.

4. Violations of statutes or rules relative to the use of charitable gaming proceeds including but not limited to using net gaming proceeds in whole or in part for any uses other than educational, charitable, patriotic, religious or public spirited shall be subject to a civil penalty not to exceed \$2,000 per violation.

5. Violations of statutes or rules relative to theft or misappropriation of charitable gaming proceeds shall be subject to a civil penalty not to exceed \$5,000 per violation.

6. Failure to comply with orders, warnings or mandates of the division or to comply with agreements entered into with the division shall be subject to a civil penalty of \$500 per violation.

7. Any other violation of a statutory provision or administrative rule for which a penalty is not provided for in this section shall be subject to a civil penalty not to exceed \$500 per violation.

B. In addition to denial of a license, refusal to renew a license, restriction, suspension, revocation, civil penalty, or bar from participation in charitable gaming activities, the division may order any person, licensee, or other entity to make full restitution in the amount of any misused, misappropriated or stolen charitable gaming proceeds to the organization or persons deprived thereof and may institute appropriate action for the collection of said amounts.

*HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 13:99 (February 1987), amended LR 18:283 (March 1992).*

*AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1485.4.*